United Nations CEDAW/C/CPV/Q/9

Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
Seventy-third session
1–19 July 2019
Item 4 of the provisional agenda
Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the ninth periodic report of Cabo Verde

Visibility and dissemination of the Convention

1. Please indicate the measures taken, in addition to those described in paragraphs 8 and 9 of the report (CEDAW/C/CPV/9)[1] and paragraphs 192 and 193 of the common core document (HRI/CORE/CPV/2017), to ensure that the Convention is better known and applied by the Government, ministries, parliamentarians and community leaders, as recommended by the Committee in its previous concluding observations (CEDAW/C/CPV/CO/7–8, para. 9). Please provide information on training for judges, prosecutors, lawyers and other law enforcement professionals responsible for the implementation of the Convention. Please also provide information on the measures taken to raise awareness about the Convention among women in rural and remote areas.

Access to justice

2. Please provide information on whether customary law, in particular concerning migrant communities, is aligned with the statutory law of the State party in relation to the Convention, and inform the Committee of the measures taken to address practices that discriminate against women and girls. Please provide data, disaggregated by the sex and age of the persons involved, on the number, nature and outcome of cases involving discrimination against women brought before the courts during the reporting period.

[1] Unless otherwise indicated, paragraph numbers refer to the ninth periodic report of the State party.

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National human rights institution

3. With reference to the information provided in paragraphs 188 and 189 of the common core document, please inform the Committee whether the new statute of the National Commission on Human Rights and Citizenship has been approved.

National machinery for the advancement of women

4. The Committee takes note of the fact that since 2016 the Ministry of Family and Social Inclusion has been the Government's structure responsible for gender equality and with oversight for the Cabo Verdean Institute for Gender Equality and Equity. Please clarify why the State party has not established a dedicated ministry for women's rights and provide information about the structure within the Ministry dedicated to women's rights and the implementation of the Convention. Regarding the Institute, as previously expressed in 2006 (CEDAW/C/CPV/CO/6, para. 13), the Committee is concerned that the use of the term "equity" may be ambiguous with regard to the achievement of substantive equality between women and men. Please inform the Committee of the State party's understanding of the concept of equity in relation to the concept of gender equality as defined in the Convention. Please provide information about the steps envisaged to progressively increase the proportion of national funding allocated to the Institute. Regarding the second national human rights and citizenship plan, covering the period 2017–2022, please indicate how the measures envisaged will contribute to substantive equality between women and men. Please provide information on the measures taken to establish gender focal points in all ministries, as recommended by the Committee (CEDAW/C/CPV/CO/7–8, para. 13), on the steps taken to formalize the national committee established to monitor the implementation of the gender-based violence legislation, created in 2013, and on how many of the 22 municipalities have councillors responsible for gender equality.

Temporary special measures

5. In paragraph 22 of the report, the State party indicates that it is considering the implementation of temporary special measures regarding the participation of women in decision-making, especially in politics, and the economic empowerment of women. Please indicate whether the State party has considered adopting temporary special measures, such as quotas for elected and appointed positions, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures.

Discriminatory gender stereotypes and harmful practices

6. Please provide information about the measures taken to eliminate harmful practices and stereotypes that discriminate against women and the results of such measures. In addition to the information provided in paragraphs 35 to 37 of the report, please inform the Committee of the prevalence of harmful practices and measures taken to identify and deal with cases of female genital mutilation, a recent phenomenon in the State party linked to migration. Please provide information on measures taken to prevent the harmful practice of child marriage, mostly involving girls in de facto civil unions. Regarding measures involving the media, such as the virtual group "Voices" mentioned in paragraph 27 of the report, please describe how their impact is monitored and how the contribution of the media in promoting gender equality is assessed.

Gender-based violence against women

7. Please provide information about the results of the second national plan to combat gender-based violence for the period 2014–2016 and indicate whether it has been followed by a third national plan. In addition to the information provided in paragraph 49 of the report, please specify how the services provided by the support centres and victim support network (SOL Network) assisted the 6,434 victims of gender-based violence between 2013 and 2015, and provide information for 2016 and 2017. Please indicate in which municipalities the 12 police offices for gender-based violence are located and whether the State party intends to establish them in all 22 municipalities.

8. In relation to the information provided in paragraphs 53 and 55 of the report, please clarify the number of cases of gender-based violence registered between 2011 and 2017, the number of cases pending with prosecutorial offices, the number of cases prosecuted, the number of cases tried, the number of convictions and acquittals and the number of cases in which compensation was provided to the victim. Please provide information disaggregated by year, as well as information about which entity will be responsible for the integrated operational management system and how the privacy of victims will be guaranteed.

Trafficking and exploitation of prostitution

9. In addition to the information provided in paragraph 59 of the report, please clarify how the revised Criminal Code criminalizes the practice of forced prostitution and the prostitution of children, independently of the crime of genocide and crimes against humanity codified in articles 268 A and 268 B. Please indicate whether women in prostitution are criminalized. Please provide information on the measures taken to study the scope, extent and root causes of trafficking, as recommended by the Committee (CEDAW/C/CPV/CO/7–8, para. 21). Please provide information about the sentences issued and reparations made in the two cases of trafficking in persons and forced prostitution and the five cases involving children referred to in paragraphs 61 and 62 of the report. Please provide information on the funding of legal, medical and psychological services for women and girls who have been victims of trafficking in persons.

Participation in political and public life

10. Please provide information about the parity legislation referred to in paragraph 79 of the report, including how it ensures the representation of women in local elections, and about the challenges faced in introducing parity requirements in the revision of the Political Party Act and the Electoral Code.

Education

11. Please indicate the time frame to finalize, adopt and roll out the revised curricula for basic and secondary education, which integrate gender equality into all subjects (para. 26). Please provide information on the measures taken to include age-appropriate education for girls and boys on sexual and reproductive health and rights in school curricula, as recommended by the Committee (CEDAW/C/CPV/CO/7–8, para. 25). Please inform the Committee about the steps that the Ministry of Education has taken to implement the measures set out in paragraph 93 and about the main results of the diagnostic study on violence in schools referred to in paragraph 94. Please provide data disaggregated by year on the number of pregnant girls and adolescent mothers attending school or out of school. Please indicate the measures envisaged to further encourage girls to pursue secondary and tertiary education in traditionally male-dominated areas. Please provide information about the measures

taken to ensure educational opportunities for girls and women with intellectual and/or psychosocial disabilities in mainstream schools. Please provide information about the measures taken to prohibit corporal punishment, punish perpetrators and promote positive, non-violent forms of education.

Employment

12. Please provide information about time frames and benchmarks for the establishment of the care system (para. 112), which recognizes unpaid work, such as domestic work, the education of children and family care mainly performed by women, in economic policy decision-making. Please provide information about access to social security for women who do not contribute to pension schemes. Please inform the Committee about the measures taken and envisaged to ensure that women working in the tourism sector have access to stable contracts. Please indicate how the special re:ime for microenterprises and small enterprises (para. 114) and the national transition strategy from the informal to the formal economy (para. 115) will target and include women. Please provide information about the measures taken to promote employment among women with higher education and to eliminate occupational segregation and the gender pay gap. Please clarify why the principle of equal pay for work of equal value was not incorporated into the review of the Labour Code in 2016 (Legislative Decree No. 1/2016 of 4 February). Please provide information on whether the State party is considering ratifying the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization.

Health

13. Please describe how the Ministry of Health ensures the technical supervision of civil society organizations and non-governmental organizations that provide reproductive health services, including the quality of the service, the adequacy of the infrastructure and how women and girls can submit complaints. Please inform the Committee about the measures taken to address the findings of the 2015 study on access to sexual and reproductive health services for women with disabilities. Please provide information about the sexual and reproductive health services provided to girls and women, and clarify the reason for using paid abortion services when other reproductive health services are free of charge. Please provide information about the participation of women in decision-making in the prevention and management of health epidemics, such as malaria, zika or dengue.

Climate change and natural disasters

14. Please provide information about the measures taken to integrate disaster risk reduction into development processes and to counter the adverse impact of climate change. Please indicate whether the State party plans to incorporate a gender perspective into national strategies on disaster management and relief and recovery in line with the Committee's general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change.

Economic and social life

15. Please provide information about poverty rates affecting women, disaggregated by age and urban and rural areas. Please also provide information about women's access to family benefits and financial credit. Please inform the Committee about the participation of girls and women in sports and the measures taken to promote their representation in sports federations and cultural institutions.

Rural women

16. In line with the Committee's general recommendation No. 34 (2016) on the rights of rural women, please provide information on the measures taken to promote access by rural women to land and property and to combat stereotypical roles within the community. In addition to the information presented in paragraphs 148 and 149, please specify how rural women have de facto access to land and decision-making processes at the community level. Please provide information about the situation of older women in rural and remote areas.

Disadvantaged groups of women

17. Please indicate how the fiscal incentives for the creation of employment for persons with disabilities (Act No. 26/VIII/2013 and Act No. 102/VIII/2016) have increased access to work for women with disabilities. Please provide information about the measures taken to promote non-discrimination and access to sexual and reproductive health services, education and work to women with disabilities, migrant women and lesbian, bisexual and transgender women.

Marriage and family relations

18. In the light of the Committee's general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, please provide information about the legal and economic consequences of the dissolution of de facto unions and the remedies available to women , including on issues relating to child custody, maintenance and property distribution. Please provide information on the measures taken to abolish de facto polygamy and ensure that the economic rights of women already in polygamous unions are protected, as recommended by the Committee (CEDAW/C/CPV/CO/7–8, para. 35). Please indicate the measures taken to change cultural attitudes condoning polygamy through awareness-raising campaigns, including those directed at migrant communities. Please provide information concerning heritage laws and the steps taken to address discriminatory laws and practices with regard to matrimonial property.

Data collection

19. Please specify the limitations faced in analysing and disseminating the data collected on the situation of specific groups of women, as referred to in paragraph 190. Please provide information about the time frame for publishing the agricultural census and the survey of household income and expenditure, which will provide updated data on rural women and poverty rates affecting women, respectively.

Sustainable Development Goals

20. Please provide information about the measures taken to integrate a gender perspective into all efforts aimed at achieving the Sustainable Development Goals.